



PATENT  
Attorney Docket No: 061351-5002-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Paul L. Kornblith** )  
Serial No.: **09/039,957** )  
Filed: **March 16, 1998** )  
For: **Method for Culturing and Assaying Cells** )  
Examiner: **Ralph J. Gitomer**  
Art Unit: **1651**  
Confirmation No.: **1251**

U.S. Patent and Trademark Office  
Customer Window, **Mail Stop Issue Fee**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

## **TRANSMITTAL FORM**

1. Transmitted herewith is the Issue Fee Transmittal (PTOL-85B).
  2. Additional Papers Submitted:  
(i) Comments on Statement of Reasons for Allowance
  3. Fee Payment: The Commissioner is hereby authorized to charge \$709.00 to Deposit Account No. 50-0310 for payment of the Issue Fee at the small entity rate (\$700.00) and three copies of the issued patent (\$9.00).
  4. Constructive Petition: Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **March 7, 2005**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.  
Washington, D.C. 20004  
**202-739-3000**

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

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Commissioner of Patents  
Washington, D.C. 20231

Sir:

**COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE**

In response to the Statement of Reasons for Allowance (PTO Paper No. not assigned) dated December 6, 2004, Applicant submits the following comments.

While Applicant believes that all of the claims are allowable and patentably distinguish over the prior art, Applicant does not acquiesce that patentability resides in each of the listed features, exactly as expressed in the claims, nor that each and every feature referred to in the claims is required for patentability.

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